

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

United States of America, *et al.*,

Plaintiff,

v.

Google LLC

Defendant.

Case No. 1:23-cv-00108-LMB-JFA

The Honorable Leonie M. Brinkema

**DECLARATION OF BO BRADBURY IN SUPPORT OF NON-PARTIES OMNICON
GROUP INC., DDB WORLDWIDE COMMUNICATIONS GROUP LLC, GSD&M
LLC, PORTER NOVELLI INC., AND OMD USA LLC'S MOTION TO SEAL
CERTAIN TRIAL EXHIBITS**

DECLARATION OF BO BRADBURY

I, Bo Bradbury, declare as follows:

1. I am the Senior Vice President, Group Account Director at GSD&M LLC (“GSD&M”), a subsidiary company of Omnicom Group Inc. (“Omnicom”). I have personal knowledge of the facts set forth herein and if called as a witness could and would testify competently to them. I make this declaration in support of Omnicom’s Motion to Seal Certain Trial Exhibits.

2. GSD&M is a full-service advertising agency that creates, plans and executes advertising and marketing campaigns on behalf of clients. These campaigns are designed to meet each client’s specific business or awareness goals and are a product of extensive client input, market research, creative ideation and skilled execution garnered from over fifty years of experience. As a subject matter expert in the media advertising and marketing space, GSD&M is intimately familiar with the platforms, products, and tools available to advertising and marketing clients.

3. I have been the lead account director on the United States Air Force’s account with GSD&M for the last thirteen years. As lead account director, I oversee all aspects of the Air Force’s account, from creation to strategy development to marketing and advertising activities.

4. GSD&M’s partnership with the Air Force began in 2000 when GSD&M submitted a bid in response to the Air Force’s open competition for full-service media planning/buying, advertising and marketing services. In submitting its bid, GSD&M leveraged its (and its team members’) expertise in the industry to create competitive spending allocations and recommendations across media, advertising and marketing channels. The substance of these recommendations make up the proposed full-service media, advertising and marketing plan and

determine what GSD&M is then authorized by the Air Force to spend. This proprietary information plays a significant role in GSD&M's success in the industry.

5. Defendant's Trial Exhibit No. 835 (DTX 835) includes an analytics report prepared by GSD&M for the Air Force. This report provides top-line metrics regarding the efficacy of GSD&M's media, advertising and marketing recommendations as they relate to engagement with the Air Force's website, airforce.com, from October 1, 2019 through October 31, 2019. This information represents GSD&M's proprietary and confidential trade secret approach for deriving media strategy, which provides GSD&M with a competitive advantage in the marketplace while helping the Air Force compete in a contested recruiting landscape.

6. Defendant's Trial Exhibit No. 878 (DTX 878) is a monthly invoice from GSD&M to the Air Force for the month of November 2019 that identifies a number of GSD&M employees by their full name, job title, and employee identification number along with a breakdown of each employee's hourly billing rate. These employees are private individuals with no connection or relevance to the present litigation.

7. Defendant's Trial Exhibit No. 1107 (DTX 1107) is an actual procurement contract and task order from the Air Force authorizing a nine-year contract with GSD&M for its advertising and marketing services. The portion of the contract that GSD&M seeks to seal sets forth the overall amount that GSD&M is authorized to spend as part of the media plan devised for the Air Force, and further breaks down in a detailed, itemized list the various kinds of advertising and related services that GSD&M has been authorized to execute on behalf of the Air Force pursuant to the scope of work. The itemized pricing set out in this portion of the contract and task order represents GSD&M's proprietary, confidential and competitively sensitive winning bid for the Air Force's business.

8. The monthly and annual cost pricing set forth in GSD&M's winning bid reflects GSD&M's recommended optimal mix of media, advertising and marketing investments and personnel for the Air Force's recruitment goals. GSD&M's discussions, analyses, and calculations relating to these spend proposals, have substantial economic and competitive value to GSD&M. GSD&M spends a significant amount of money and resources to develop the specialized knowledge of the media, advertising and marketing marketplace required to create its commercially competitive spend proposals.

9. Defendant's Trial Exhibit No. 1152 (DTX 1152) includes GSD&M's revised media strategy PowerPoint presentation presented to the Air Force in October of 2021 relating to the Air Force's Sight, Sound, Motion Campaign. The purpose of this presentation is to gain client alignment with GSD&M's proposed media plan. This presentation provides in-depth analysis and discussion on the types of media channels GSD&M is recommending that the Air Force invest in, including the purpose of each media channel, the specific content to be shared via the media channels, and GSD&M's recommended partners, publishers, and platforms for which to implement each aspect of the media plan. The presentation also includes recommended investment amounts based on the Air Force's goals and objectives. The contents of this presentation represent GSD&M's proprietary and confidential trade secret approach for deriving media strategy, which provides GSD&M with a competitive advantage in the marketplace while helping the Air Force compete in a contested recruiting landscape.

10. Defendant's Trial Exhibit No. 1228 (DTX 1228) includes portions of a GSD&M media strategy Presentation that includes GSD&M's media, advertising and marketing recommendations to the Air Force for 2021. Specifically, Exhibit 1228 provides GSD&M's recommended media tactics, channels and platforms based on the Air Force's goals and objectives

throughout its recruitment process. This information represents GSD&M's proprietary and confidential trade secret approach for deriving media strategy, which provides GSD&M with a competitive advantage in the marketplace while helping the Air Force compete in a contested recruiting landscape.

11. Defendant's Trial Exhibit No. 1294 (DTX 1294) includes GSD&M's total media strategy PowerPoint presentation presented to the Air Force in June of 2022 relating to the Air Force's Inspire Campaign. The purpose of this presentation is to gain client alignment with GSD&M's proposed media plan. This presentation provides in-depth analysis and discussion on the types of media channels GSD&M is recommending that the Air Force invest in, including the purpose of each media channel, the specific content to be shared via the media channels, and GSD&M's recommended partners, publishers, and platforms for which to implement each aspect of the media plan. The presentation also includes recommended investment amounts based on the Air Force's goals and objectives. The contents of this presentation represent GSD&M's proprietary and confidential trade secret approach for deriving media strategy, which provides GSD&M with a competitive advantage in the marketplace while helping the Air Force compete in a contested recruiting landscape.

12. Defendant's Trial Exhibit No. 1318 (DTX 1318) includes a presentation made in coordination between GSD&M and the Air Force that includes an in-depth analysis of GSD&M's media, advertising and marketing recommendations to the Air Force. Specifically, Exhibit 1318 provides an analysis of the effectiveness of GSD&M's execution of the Air Force's media, advertising, and marketing campaigns for Fiscal Year 2022 as well as next steps for the upcoming year. This information represents GSD&M's proprietary and confidential trade secret approach for deriving media strategy, which provides GSD&M with a competitive advantage in the

marketplace while helping the Air Force compete in a contested recruiting landscape.

13. Defendant's Trial Exhibit No. 1347 (DTX 1347) includes GSD&M's total media strategy PowerPoint presentation presented to the Air Force in September of 2022 relating to the Air Force's Inspire and Engage & Recruit Campaigns. The purpose of this presentation is to gain client alignment with GSD&M's proposed media plan. This presentation provides in-depth analysis and discussion on the types of media channels GSD&M is recommending that the Air Force invest in, including the purpose of each media channel, the specific content to be shared via the media channels, and GSD&M's recommended partners, publishers, and platforms for which to implement each aspect of the media plan. The presentation also includes recommended investment amounts based on the Air Force's goals and objectives. The contents of this presentation represent GSD&M's proprietary and confidential trade secret approach for deriving media strategy, which provides GSD&M with a competitive advantage in the marketplace while helping the Air Force compete in a contested recruiting landscape.

14. The creative concepts and innovative approaches to media buying and planning are what differentiate GSD&M from other agencies in the marketplace that GSD&M competes with. Publicly revealing these details, encompassed in the Exhibits above, could expose these creative elements to competitors, who might then replicate or undermine GSD&M's innovative strategies and competitive edge. GSD&M's discussions, analyses, and strategic recommendations to a client regarding its media marketing have substantial economic and competitive value to GSD&M. GSD&M spends a significant amount of money and resources to develop the specialized knowledge of the media, advertising and marketing marketplace required to create commercially competitive strategy recommendations and guidance for clients.

15. Public disclosure of GSD&M's proprietary information, contained throughout the

above Exhibits, would be detrimental to both the Air Force and GSD&M. Public disclosure would reveal confidential Air Force information and provide insight into their marketing priorities, objectives, and goals, all of which is shaped by the work of GSD&M. The disclosure of the Air Force's unique marketing strategy would provide competing recruiting entities and GSD&M's competitors an inside look into how GSD&M operationalizes a full service media, advertising and marketing account plan for specific clients. This is the exact sort of analysis and planning upon which GSD&M competes to remain competitive in the market.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 25, 2024 in Austin, Texas.

A handwritten signature in cursive script that reads "Bo Bradbury". The signature is written in black ink and is positioned above a horizontal line.

Bo Bradbury